

Court No. - 41

Case :- CRIMINAL APPEAL No. - 98 of 1984

Appellant :- Laxman Singh

Respondent :- State Of U.P.

Counsel for Appellant :- B.P. Gupta

Counsel for Respondent :- A.G.A.

Hon'ble Aniruddha Singh,J.

None is present on behalf of the appellants even in the revised list/call.

Appellants Laxman Singh and Chandra Prakash have been convicted under Sections 379 and 411 I.P.C. and sentenced to one year rigorous imprisonment.

According to office report, both the appellants are absconding.

In compliance of orders dated 17.11.2017 and 30.1.2018 lower court record has also not been received so far.

Office is directed to call for a report from the concerned court through District Judge with explanation before the date fixed.

From perusal of the record, it transpires that both the appellants are absconding since long. Order of Non-bailable warrant was also passed against the appellants and notice to their sureties under Section 446 Cr.P.C. was issued but no complete report has been received. The court concerned is directed to send complete report and the notices about the sureties. From perusal of the record, it also transpires that the address of appellant no.1 Laxman Singh is village Majaria, Police Station Tirpur Sukan, District Deoria and the address of appellant no.2- Chandra Prakash is village Siswa, Police Station Siswa Bazar, District Gorakhpur. It also transpires that Police Station Siswa at present is in the jurisdiction of Maharajganj.

Issue fresh non-bailable warrant against the appellants and notices to the sureties and proceed under Section 82 Cr.P.C. through C.J.M., Deoria, C.J.M., Maharajganj and C.J.M., Gorakhpur and S.SP.s/S.P.s, Deoria, Maharajganj and Gorakhpur to ensure arrest of the appellants on or before 26.11.2018. Compliance report be submitted on or before 26.11.2018.

It is very unfortunate that convicted persons are absconding and no proper action has been taken by the concerned court/S.S.P.s/S.P.s. and also no efforts were made for arrest of the appellants.

List in week commencing 26.11.2018.

Order Date :- 22.10.2018

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